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July 2, 2020

VIA ECF AND EMAIL

Hon. James L. Garrity, Jr.
U.S. Bankruptcy Court
One Bowling Green
New York, NY 10004

Re: *In re Orly Genger*, Case No. 19-13895-JLG

Dear Judge Garrity:

One of the depositions that was addressed in advance at the prior conference was repeatedly disrupted by counsel for the deponent – the purported trustee (Michael Oldner) for the Orly Genger 1993 Trust, which is a purported creditor and party to this bankruptcy.

During Mr. Oldner's June 25, 2020 deposition, Mr. Oldner's counsel, Adam Pollock, and counsel for creditor Sagi Genger, John Dellaportas, calculatingly obstructed the deposition, frequently interposing speaking objections, coaching the witness and demanding proffers from the undersigned who was conducting the deposition. Even a cursory review of the transcript (enclosed as Ex. A) shows hundreds of lengthy and disruptive speaking objections interposed on almost every page of the transcript. *See, e.g.*, Ex. A, at pp. 10-19, 73-87, 97-99, 136-149, 151-157, 165-191, 196-212, 218-232, 235-247, 251-261, 264-283, 285-292, 296-301, 307-315, 318-321, 331-339, and practically any other page at random. The other attorneys, including me, pleaded with counsel to cease and desist and to comport themselves in accordance with the rules of court and basic professional decorum. They refused. A rough estimate of the time consumed by Messrs. Pollock's and Dellaportas' speaking objections is approximately 1 hour and 30 minutes out of the deposition. *See* Ex. A. That is intolerable.

We, accordingly, request that this conduct be addressed at the court conference later today; and that these two lawyers be admonished, that the witness be directed to reappear to complete his deposition in an unobstructed fashion, and that the Messrs. Pollock and Dellaportas pay for all the other parties' legal fees incurred during the June 25 deposition.

Respectfully submitted,

/s/ Michael Paul Bowen

Encl.